

MICHAEL A. CARDOZO
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

CHRISTOPHER A. SEACORD
Labor and Employment Law Division
Phone: (212) 788-0866
Fax: (212) 341-3934
Email: cscacord@law.nyc.gov

July 22, 2008

MEMO ENDORSED

BY FAX (212) 805-6712

Hon. Kevin N. Fox
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 540
New York, New York 10007

Re: Martir, at al. v. City of New York, et al.
07 Civ. 7922 (LTS)(KNF)

Dear Judge Fox:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for defendants City of New York ("the City") and New York City Health and Hospitals Corporation ("HHC") in the above-referenced matter. I write to respectfully request an adjournment of the settlement conference in this matter, which currently is scheduled to take place on July 29, 2008.

Although discovery in this matter has been moving forward, the undersigned still does not have all of the information necessary to engage in meaningful settlement negotiations at this time. Recently, plaintiffs submitted their responses to defendants' first set of interrogatories and document requests. Included in these responses were executed releases for the necessary medical, financial and employment records of the plaintiffs in this action. While these releases have been submitted to the appropriate individuals, defendants have yet to receive any of the documents requested therein. Moreover, because the requested records contain vital information regarding, inter alia, plaintiff Louis Martir's medical condition and subsequent employment history, defendants cannot conduct the deposition of plaintiff Louis Martir until these documents are received. In turn, defendants cannot engage in meaningful settlement negotiations until the depositions of both plaintiffs have been completed.

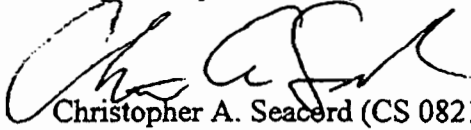
It is anticipated that the defendants will received the requested documents within the next month, and that the depositions of the plaintiffs will commence immediately thereafter. At that time, the parties feel that they will have sufficient information to engage in meaningful and productive settlement negotiations. Accordingly, with opposing counsel's consent, the undersigned respectfully requests that the settlement conference currently scheduled for July 29, 2008, be adjourned for at least six weeks. This is defendants' second request for an adjournment of the settlement conference in this proceeding.

Thank you for your attention to this matter.

7/28/08
The settlement conference
previously scheduled for July 29, 2008,
will be held on September 22, 2008, at
2:30 p.m.

SO ORDERED:
Kevin Nathaniel Fort, U.S.M.J.

Respectfully submitted;


Christopher A. Seacord (CS 0821)
Assistant Corporation Counsel

cc: Edward S. Bosek, Esq. (By Fax)
Weitz & Luxenberg, P.C.
Attorneys for Plaintiffs
180 Maiden Lane
New York, NY 10038
Phone: (212) 558-5500
Fax: (212) 742-8485